

CSD 1001A [11/15/04]

Name, Address, Telephone No. & I.D. No.

Jeffry A. Davis (SBN 103299)

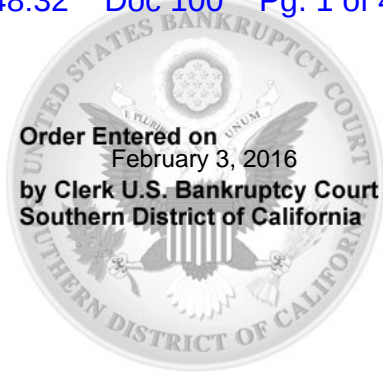
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**UNITED STATES BANKRUPTCY COURT**

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re.

James Chester & Lori Morse Weseman

Debtor.

BANKRUPTCY NO. 10-11927-LT7

Date of Hearing: 1/14/16

Time of Hearing: 10:00 a.m.

Name of Judge: Laura S. Taylor

**ORDER GRANTING MOTION FOR ORDER ESTABLISHING BIDDING AND SALE PROCEDURES**

**IT IS ORDERED THAT** the relief sought as set forth on the continuation pages attached and numbered two (2) through \_\_\_\_\_ with exhibits, if any, for a total of two (2) pages, is granted. Motion/Application Docket Entry No. 96

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DATED: February 2, 2016

Signature by the attorney constitutes a certification under Fed. R. of Bankr. P. 9011 that the relief in the order is the relief granted by the court.

  
Judge, United States Bankruptcy Court

Submitted by:

Mintz Levin Cohn Ferris Glovsky and Popeo, P.C.

(Firm name)

By: /s/ Jeffry A. Davis

Attorney for ☒ Movant ☐ Respondent

Jeffry A. Davis

ORDER GRANTING MOTION FOR ORDER ESTABLISHING BIDDING AND SALE PROCEDURES

DEBTOR: James Chester & Lori Morse Weseman

CASE NO: 10-11927-LT7

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The Court having reviewed the Trustee's Motion for Order Establishing Bidding and Sale Procedures (the "Motion"), and the Court having received no objections to such Motion, and good cause appearing, the Court hereby

**ORDERS, ADJUDGES AND DECREES:**

1. The Court's Tentative Ruling granting the Motion and making certain findings is attached hereto as **Exhibit A** is confirmed and shall be the order of the Court;
2. An auction sale of the stock of Invivoscribe Technologies, Inc. (the "Stock"), as described in the Motion, shall be held on March 7, 2016, at the law offices of Mintz Levin Cohn Ferris Glovsky and Popeo, P.C., 3580 Carmel Mountain Road, Suite 300, San Diego, California 92130, and at the Trustee's discretion, by teleconference, at 11:00 a.m. prevailing Pacific Time, and shall be conducted pursuant to the procedures set forth in the Motion; and
3. The Court will consider entry of an order approving the sale of the Stock to the Successful Bidder at a hearing to be held on March 10, 2016, at 10:00 a.m.

45708463v.1

# EXHIBIT A

TENTATIVE RULING  
ISSUED BY JUDGE LAURA S. TAYLOR

Debtor: JAMES CHESTER & LORI MORSE WESEMAN

Number: 10-11927-LT7

Hearing: 10:00 AM Thursday, January 14, 2016

Motion: MOTION FOR ORDER ESTABLISHING BIDDING AND SALE  
PROCEDURES FILED ON BEHALF OF LESLIE T. GLADSTONE

Grant.

This Motion is unopposed. The Chapter 7 Trustee's proposed bidding and sale procedures are reasonable, well suited to encourage overbids from interested buyers, and are likely to result in the best results for the estate. The uncontroverted evidence before the Court establishes that Buyer made the offer to purchase in good faith, that he has participated in negotiations with the Trustee as to the terms of the proposed sale, and that he is not an "insider" of the Debtor as defined in Bankruptcy Code § 101(31). Accordingly, the Court finds that the proposed sale will constitute a good faith purchase under Bankruptcy Code § 363(m) if the current buyer is the successful bidder. If there is an overbid, additional evidence regarding the purchaser will be required. Given that this is an auction, however, the Court will simply require declaratory evidence. Appearances are excused.